CALIFORNIA EMERGENCY MANAGEMENT AGENCY

LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

3650 SCHRIEVER AVENUE MATHER, CALIFORNIA 95655 (916) 324-7207 FAX: (916) 324-5674

May 15, 2009

TO: ALL INTERESTED PARTIES

RE: REQUEST FOR PROPOSAL (RFP) – SEXUAL ASSAULT SPECIALIZED

RESPONSE UNIT PROGRAM

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (Recovery Act). As one of its many elements, the Recovery Act provides the U.S. Department of Justice with funding for grants to assist state, local, and tribal law enforcement (including support for hiring) to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crimes, and to support youth mentoring.

The CalEMA's Law Enforcement and Victim Services Division is soliciting proposals from qualified applicants to enhance or create specialized units to respond to reports of sexual assault. Approximately \$1,196,000 is available for the Sexual Assault Specialized Investigation Unit Program through the federal Recovery Act Services*Training*Officers*Prosecutors (STOP) Violence Against Women Formula Grant Program.

The funding for this program is 18 months; beginning September 1, 2009 and ending February 28, 2011. Since this program is supported with one-time Recovery Act STOP Violence Against Women Formula Grant funds, continuation funding will not be available.

To download a copy of the RFP, go to the CalEMA website (www.oes.ca.gov), select "Grants" on the bar at the top of the homepage and then select from the drop-down menu, the top option titled, "(LEVS) Criminal Justice Grants RFA/RFPs". Then click on "Request for Proposal (RFP) Funding Information.

Should you have questions, please feel free to contact Leigh Bills, Criminal Justice Specialist, via e-mail at <u>Leigh.Bills@oes.ca.gov</u>.

Sincerely,

Original Signature on File

BRENDAN MURPHY
Director, Grants Management

CALIFORNIA EMERGENCY MANAGEMENT AGENCY LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

SEXUAL ASSAULT SPECIALIZED RESPONSE UNIT COMPETITIVE REQUEST FOR PROPOSAL

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IV. FORMS -Click on one of the form links below to access the form. Save the form to your hard drive before you attempt to fill it out. To access the complete list of forms on our website click on **or** go to www.oes.ca.gov select the "Justice Programs" tab, "Grant Applications & Proposals," then look in the "Related Links" for "Forms: Or paste the following link into your browser:

http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&t ype=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms

Proposal Checklist And Required Sequence

Proposal Cover Sheet

Grant Award Face Sheet and Instructions (CalEMA 2-101)

Project Contact Instructions and Information (CalEMA 2-102))

Signature Authorization and Instructions (CalEMA 2-103)

Certification Of Assurance Of Compliance - VAWA (CalEMA 2-104g)

Federal Grant Funds Log (CalEMA 2-105)

Application Budget (CalEMA 2-106) – Budget Narrative (CalEMA 2-107)

Budget Forms (Excel spreadsheet format) – a. With Match

Personal Services – Salaries/Employee Benefits

Operating Expenses

Equipment

Project Narrative (CalEMA 2-108)

Noncompetitive Bid Request Checklist (CalEMA 2-156)

Out Of State Travel Request (CalEMA 2-158)

Emergency Fund Procedures (CalEMA 2-153)

Other Funding Sources (CalEMA 2-151)

Project Service Area Information (CalEMA 2-154)

Computer And Automated Systems Purchase Justification (CalEMA 2-157)

Preference Points Certification (CalEMA 2-155)

CALIFORNIA EMERGENCY MANAGEMENT AGENCY LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

SEXUAL ASSAULT SPECIALIZED RESPONSE UNIT COMPETITIVE REQUEST FOR PROPOSAL

PART I – INFORMATION

A. <u>INTRODUCTION</u>

This Request for Proposal (RFP) provides the information and forms necessary to prepare a proposal for the California Emergency Management Agency (CalEMA) grant funds. The terms and conditions described in this RFP supersede previous RFPs and any conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the proposal and is accessible at www.oes.ca.gov, by selecting a "Criminal Justice Program" section under the "Justice Programs" tab, then looking in the "Related Links" for "*Recipient Handbooks*.

B. CONTACT INFORMATION

Questions concerning this RFP, the application process, or programmatic issues, should be submitted by fax or e-mail to:

Leigh Bills Criminal Justice Specialist I Victim/Witness Section Fax: (916) 327-5674

Email: Leigh.Bills@oes.ca.gov

Contact information is provided above; however, CalEMA staff cannot assist the applicant with the actual preparation of its proposal. During the period of time between the publication date of the RFP and the date the competitive proposal is due, CalEMA can only respond to technical questions about the RFP submitted by fax or e-mail.

C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS

One original and three copies of the proposal must be delivered to CalEMA's Law Enforcement and Victim Services Division by the date and time indicated below. A late proposal will be deemed ineligible for funding. Submission options are:

1. Regular or overnight mail, postmarked by Friday, July 10, 2009, to:

California Emergency Management Agency Law Enforcement and Victim Services Division Criminal Justice Programs 3650 Schriever Avenue Mather, CA 95655

Attn: Sexual Assault Specialized Response Unit, Victim/Witness Section

2. Hand delivered by 5:00 p.m. on Friday, July 10, 2009 to:

California Emergency Management Agency Law Enforcement and Victim Services Division Criminal Justice Programs 3650 Schriever Avenue Mather, CA 95655

Attn: Sexual Assault Specialized Response Unit, Victim/Witness Section

D. ELIGIBILITY

Applicants must be a city or county law enforcement agency, as defined in Section 830.1 of the California Penal Code to receive funding through this program. Applicants currently investigating cases of sexual assault through the Law Enforcement Specialized Units Program are not eligible. Applicants may collaborate to provide services for a multi-city/county area. Under this scenario, one proposal must be submitted and a lead applicant responsible for implementing the project clearly identified in the proposal. The proposal should also describe the relationship among the various entities represented in the application with one agency designated to receive and administer grant funds, and to manage and coordinate all grant activities. Funding for multi-city/county projects will be based on the population of the combined service area.

E. FUNDS

1. Source of Funds

The Sexual Assault Specialized Response Unit Program is supported by the federal Violence Against Women Act (VAWA) Services*Training*Officers*Prosecutors (S*T*O*P) American Recovery and Reinvestment Act of 2009 (Recovery Act). As one of its many elements, the Recovery Act provides the U.S. Department of Justice with funding for grants to assist state, local, and tribal law enforcement in combating violence against women by supporting hiring and investing in the American workforce.

The VAWA S*T*O*P Program is designed to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violent crimes against women. CalEMA intends VAWA S*T*O*P Recovery Act funds for the above purposed activities as well as to support other strategies that create and preserve jobs and promote economic growth while improving responses to domestic violence, dating violence, sexual assault, and stalking. The Recovery Act S*T*O*P Program is a formula based program requiring specific percentages of the funding be allocated to each of four categories: Law Enforcement, Prosecution, Courts and Victim Services.

2. Grant Period

Applicants selected will be funded for an 18 month period, commencing September 1, 2009 and ending February 28, 2010.

3. Funding Amount and Match

Approximately \$1,196,000 is available for the Sexual Assault Specialized Response Unit Program. An applicant's funding amount will be determined by the population of the proposed service area (see table on page 3). These amounts are approximates but should be used for the completion of this proposal. CalEMA intends to fund approximately seven projects. A twenty-five percent match, based on the total project cost, is required for this program. All matching funds (cash or in-kind) are restricted to the same uses as VAWA S*T*O*P grant funds.

Service Area Population	VAWA Funds	Match	Total Funds
100,000 and above	\$250,000	\$83,333	\$333,333

50,000 - 99,999	\$200,000	\$66,667	\$266,667
49,999 and below	\$175,000	\$58,333	\$233,333

Examples of cash match include but are not limited to: personnel needed in the administration of the grant, facility space for grant funded staff, and supplies needed for the administration and operations of the grant.

F. PROGRAM INFORMATION

1. Program Purpose/Description

The Sexual Assault Specialized Response Unit Program is designed to improve the response to victims of sexual assault through the thorough investigation of the incident and immediate victim support. This will be achieved through the creation or enhancement of a multi-disciplinary specialized unit which focuses solely on sexual assault cases. The specialized unit shall consist of a highly qualified Investigator and Rape Crisis Advocate working collaboratively to both investigate and provide services to the victim.

2. Program Components

a. Investigation

Thoroughly investigated cases assist in the successful prosecution of defendants. Projects must fund, or commit to the specialized unit, at least one full-time investigator. Applicants from the Service Area Population of 49,000 and below may allow the Investigator to investigate cases of violence against women (sexual assault, domestic violence, dating violence and stalking), only when the incidents of sexual assault are inadequate to justify a full-time investigator and when time permits. Sexual Assault case Investigators assigned to the specialized unit must have, at a minimum, an intermediate POST certificate and have received specialized training beyond the academy level, related to the investigation of sexual assault crimes, in accordance with Penal Code Sections 13516-13519 et al.

Investigators must be assigned to the specialized unit for the entire duration of the 18 month grant period.

At a minimum, investigators must:

- Review crime reports;
- Interview victim(s) to verify/clarify contents of initial report;
- Interview witnesses:
- Request crime lab analysis of physical evidence;
- Check with lab for analysis outcomes:
- Check crime scene and obtain photos when necessary;
- Attempt to identify suspect, if the suspect is unknown;
- Prepare follow-up reports and submit to the District Attorney's office;
- Inform victim(s) of legal rights, including support services;
- · Refer all cases to the Rape Crisis Advocate; and
- Collect statistical information regarding the number of cases referred by patrol, cases investigated, cases referred for prosecution, cases where the victim declined prosecution and prosecution outcomes.

b. Victim Services

Projects must <u>contract</u> with the CalEMA funded Rape Crisis Center in their jurisdiction for, at least, one full-time advocate (or full-time equivalent). Advocates must meet the requirements of a sexual assault counselor as defined by the Evidence Code §1035-1036.2.

At a minimum, sexual assault advocates must provide, or arrange for, the following services as defined in the CalEMA Rape Crisis Program:

- accompaniment at forensic medical examination (24/7);
- crisis intervention (24/7);
- follow-up services;
- in-person counseling;
- accompaniment (law enforcement, medical, court);
- advocacy; and
- Updated status of court case, if applicable.

In addition to the required Rape Crisis Advocate, projects <u>may</u> also fund a Victim/Witness Advocate or a portion of a Victim/Witness Advocate. This advocate must meet the Entry-Level Advocate Standards, and have completed additional sexual assault training. The Victim/Witness Advocate would be required to perform the duties identified in the CalEMA Victim/Witness Assistance Program.

c. Collaboration

The Investigator and Advocate(s) must, at a minimum, meet weekly to discuss cases and share information. Office space within the law enforcement agency for the Rape Crisis Advocate is highly desirable and can be used to meet the required local match.

d. Training

During the first 12 months of operation, projects must send the Investigator, Rape Crisis Advocate and Victim Witness Advocate (when applicable), assigned to the unit, to the California Sexual Assault Investigator Association fall 2009 training. Information regarding this training is available at www.csaia.org.

e. Community Coordination/Links to other Programs

The Investigator and Rape Crisis Advocate are required to regularly attend Sexual Assault Response Team (SART) multi-disciplinary meetings in the project service area. Attendance at these meetings must be documented and retained for reporting purposes.

If the service area does not have an existing multi-disciplinary task force or committee, project staff must work to develop those community partnerships and begin regular meetings. Assistance can be provided by the California Clinical Forensic Medical Training Center and/or the California Coalition Against Sexual Assault.

f. Reporting Requirements

The Recovery Act requires quarterly statistical reporting. <u>Projects selected for funding will be required to electronically report statistical information to CalEMA monthly</u>. CalEMA will then report to U.S Department of Justice within ten days of the conclusion of each quarter.

g. Recovery Act Requirements

Grant Recipients will be required to obtain a federal Data Universal Numbering System (DUNS) and Central Contracting Registration (CCR) numbers.

The DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. Obtaining a DUNS number is a free, simple, one-time activity. To obtain a DUNS number call 1-800-705-5711 or apply online at http://www.dnb.com/us/.

The CCR database is the repository for standard information about federal financial assistance, applicants and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered. Please note, however, applicants must update or renew their CCR registration at least once per year to maintain active status. Information regarding registration procedures can be accessed at www.ccr.gov.

G. PREPARING A PROPOSAL

The Table of Contents includes a link to a Proposal Cover Sheet. Please complete the Proposal Cover Sheet and attach it to the front of your proposal.

The following nine components are required for a complete proposal:

- Proposal Cover Sheet;
- Grant Award Face Sheet (CalEMA 2-101);
- Project Contact Information; (CalEMA 2-102)
- Signature Authorization and Instructions; (CalEMA 2-103)
- Certification of Assurance of Compliance VAWA (CalEMA 2-104);
- Preference Points Certification Form (CalEMA2-155) (if applicable);
- Project Narrative (CalEMA 2-108);
- Budget Narrative (CalEMA 2-107) and the Project Budget (CalEMA 2-106 a-c); and
- Proposal Appendix (refer to Part II, C.).

NOTE: Failure to include the required components may result in a reduced score or disqualification. CalEMA will *not* advise the applicant that the proposal is incomplete prior to rating or disqualification.

CALIFORNIA EMERGENCY MANAGEMENT AGENCY LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

SEXUAL ASSAULT SPECIALIZED RESPONSE UNIT COMPETITIVE REQUEST FOR PROPOSAL

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the proposal components and to the forms required to complete the proposal.

The applicant must use the forms provided in "Forms" (FORMS) and plain 8½" x 11" white paper for the proposal. The blank Project and Budget Narrative pages on the website have been pre-formatted to CalEMA standards. If you create your own computer-generated Project and Budget Narrative pages, the format must duplicate the CalEMA pre-formatted pages and not allow the applicant more space than provided on the CalEMA forms. The applicant must ensure information requested by the RFP instructions is included in the appropriate section of the proposal to receive credit. If a space limitation is specified for a component, strict adherence to the space limitation is required to avoid a reduction in the proposal's score.

Copies of the proposal must be assembled separately and individually fastened in the upper left corner. **Do not bind proposal.**

Failure to comply with these spacing/formatting requirements is one of the factors which may negatively impact the applicant's comprehensive assessment score.

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the proposed plan.

1. Problem Statement

Provide a description of the service area including; size, population, and social factors. Describe the problem to be addressed by the project. Using statistical information, describe the incidents of sexual assault in the proposed service area. Describe the current efforts to investigate cases of sexual assault. Describe the current efforts to provide victim support. Describe the weaknesses of the current resources in combating the problem.

2. Plan and Implementation

Plan (5 pages maximum): Describe the applicant's plan to impact the problem. Describe the training and qualifications of proposed staff, including the Investigator, Rape Crisis Advocate and Victim/Witness Advocate (when applicable). Describe how cases will be accepted into the unit. Name the Rape Crisis Program in your service area. Describe how cases will be referred to the Rape Crisis Advocate and Victim/Witness Advocate (when applicable). Describe the applicant's plan for ongoing communication among unit staff. Describe the project's plan to create or maintain jobs through this program.

Back

Provide a quantitative measure for each objective. In a narrative form, detail the activities to show how each objective will be met. The applicant is required to submit the mandatory objectives and may submit up to five additional objectives.

Mandatory objectives

1.	Investigate cases of sexual assault.
2.	Provide Rape Crisis services to sexual assault victims.
3.	Investigator will attend SART meetings.
4.	Advocate(s) will attend SART meetings.
5.	If no SART is established in the service area, begin efforts to establish a SART and hold meetings by the end of the grant period.

Implementation: Describe the applicant's ability to implement and administer the grant. Provide a description of the relationships between law enforcement and the Rape Crisis Center(s) within the services area. Describe where the Investigator, Rape Crisis and Victim/Witness Advocate (when applicable) will have workspace. Describe the applicant's ability to report statistical information to CalEMA within five days after the conclusion of each quarter.

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include *only* those items covered by grant funds including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicants should not include, in the project budget, matching funds (if applicable) in excess of the required match. Budgets are subject to CalEMA modifications and approval.

CalEMA requires the applicant to develop a *line item* budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project. The following information is provided to assist in the preparation of the budget. Strict adherence to required and prohibited items is expected. Where the applicant does not budget for a required item, the applicant assumes responsibility. Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the Recipient Handbook and the Office of Justice Programs' Financial Guide 2008 for additional information concerning the CalEMA budget policy or to determine if specific proposed expenses are allowable. The Recipient Handbook is accessible on our website at www.oes.ca.gov. Select any "Criminal Justice Program" section under the "Justice Programs" Tab, look in the "Related Links" for "Recipient Handbooks. The Financial Guide 2008 can be accessed at http://www.ojp.gov/financialguide/. Projects can also access the Office on Violence Against Women's Frequently Asked Questions on STOP Formula Grants at http://www.ovw.usdoj.gov/docs/FAQ FINAL nov 21 07.pdf. Contact the person listed on page 1subsection B of this RFP should you have additional budget questions.

Match Requirement

The federal funding source requires a 25% match, based on the Total Project Cost. The match may be either cash or in-kind contributions of services or goods. All matching funds (cash or in-kind) are restricted to the same uses as VAWA S*T*O*P grant funds. All match specified in the budget will become part of the grant award. The budget pages must clearly identify line items designated as match.

1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the proposal, in front of the budget pages. In the narrative describe:

- How the project's proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- The duties of project-funded staff including qualifications or education level necessary for the job assignment. This does not take the place of the brief justification required in the line item budget.
- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition to time allocated to this project.
- The necessity for subcontracts and unusual expenditures.
- Mid-year salary range adjustments.

2. Specific Budget Categories

There is an Excel Workbook in "Forms" (FORMS) with spreadsheets for each of the following three budget categories:

- Personal Services Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the *whole dollar amount only* (no cents) on each line item and match in the correct column of the Budget Category form. The spreadsheet will total each addition. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

a. Personal Services – Salaries/Employee Benefits (CalEMA 2-106a) (formerly OES A303a)

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operating Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (CalEMA 2-106b) (formerly OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during an CalEMA site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses Category.

c. Equipment (CalEMA 2-106c) (formerly OES A303c)

Equipment is defined as nonexpendable tangible personal property having *a useful life of more than one year* and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

C. PROPOSAL APPENDIX

The proposal appendix provides CalEMA with additional information from the applicant to support components of the proposal. The following must be included:

- Organizational Chart: The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- Project Summary (CalEMA 2-150)
- Noncompetitive Bid Request (CalEMA 2-156), only if applicable
- Out of State Travel Request, (CalEMA 2-158), only if applicable
- Emergency Fund Procedures (CalEMA 2-153), only if applicable
- Project Service Area Information (CalEMA 2-154)
- Computer and Automated Systems Purchase Justification Guidelines (CalEMA 2-157), only if applicable

D. PREFERENCE POINTS CERTIFICATION

California Government Code Section 7082 requires CalEMA to give preference to applicants from areas in the state designated as Enterprise Zones. These are areas identified to receive state contract preference points due to high unemployment, lower incomes and population density. The goal of the Enterprise Zone Program is to stimulate growth in economically distressed areas. Five percent (5%) of the proposal's total score will be added to the proposal for the applicant specifically targeting a designated Enterprise Zone for services. Two percent (2%) of the applicant's total score will be added to the proposal for the applicant whose service area includes an Enterprise Zone, but does not specifically target the area for services.

Complete information concerning the Enterprise Zone Program is available on-line from the Housing and Community Development, Division of Financial Assistance web page at http://www.hcd.ca.gov/fa/cdbg/ez/. If the applicant is eligible for preference points, certification of eligibility by the appropriate agency must be provided. Self-certification is not allowed.

CALIFORNIA EMERGENCY MANAGEMENT AGENCY LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

SEXUAL ASSAULT SPECIALIZED RESPONSE UNIT COMPETITIVE REQUEST FOR PROPOSAL

PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the proposal:

- A. Selection of Proposal for Funding
- B. Finalizing the Grant Award Agreement
- C. Administrative Requirements
- D. Budget Policy
- E. Glossary of Terms
- F. Rating Form (applicant is encouraged to review prior to submission of the proposal)
- G. Summary of Past Performance Policy

A. SELECTION OF PROPOSAL FOR FUNDING

1. Proposal Rating

Eligible proposals received by the deadline are generally rated by a three member team. The raters' scores are averaged and then ranked numerically. The Rating Form used for this process is included in this section and is for informational purposes only.

2. Funding Recommendation

Final funding decisions are made by the Secretary of CalEMA. Funding recommendations are based on the following:

- the ranked score of the proposal;
- consideration of funding priorities or geographical distribution specific to this RFP; and
- prior negative administrative and programmatic performance, if applicable.

Projects previously funded by CalEMA will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions: a) the project may not be selected for funding; b) the amount of funding may be reduced; or c) grant award conditions may be placed in the Grant Award Agreement. See the attached Past Performance Policy for details.

3. Notification Process

Applicants will be notified in writing of the results of the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

B. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. CalEMA does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, CalEMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

CalEMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Processing Grant Awards

a. Grant Award Conditions

CalEMA may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by CalEMA.

b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received a Report of Expenditures and Request for Funds (CalEMA 2-201) may be submitted for reimbursement.

c. Grant Award Amounts

When the amount of funds available is limited, CalEMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, CalEMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, CalEMA will notify the applicant prior to executing the Grant Award Agreement.

C. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

1. The Recipient Handbook (RH)

The *Recipient Handbook* is accessible on the CalEMA Internet website at www.oes.ca.gov. Select "Justice Programs", "Grant Applications & Proposals (RFAs/RFPs)" and "*Recipient Handbooks*," under "Related Links." The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

2. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFP instructions.

3. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, CalEMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

4. Monthly/Quarterly Report of Expenditures and Request for Funds (RH 6300)

Community-based organizations (CBOs) shall submit a monthly Report of Expenditures and Request for Funds (CalEMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form CalEMA 2-201 will result in the withholding of funds and may result in the recommendation to CalEMA's Executive Secretary for termination of the grant award.

5. Technical Assistance/Site Visits (RH 10300)

Funded projects are assigned a CalEMA program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

6. Monitoring (*RH* 10400)

A monitoring visit is an onsite assessment, by staff, to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or asneeded basis.

7. Bonding Requirements (RH 2160)

Private CBOs and American Indian organizations are required to obtain and send to CalEMA a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of CalEMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond, or an endorsement, must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required by terms of the program or grant award conditions.

8. Audit Requirements (RH 8100)

To safeguard CalEMA assets and to ensure all funds are accounted for, CalEMA requires that organizations receiving a CalEMA grant award(s) be audited in accordance with *Recipient Handbook* section 8100.

9. Copyrights, Rights in Data, and Patents (RH 5300-5400)

CalEMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

10. Source Documentation (RH 10111)

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFP instructions. Recipients will be required to have written job descriptions on file for positions funded by CalEMA detailing specific grant-related activities to achieve project objectives.

D. BUDGET POLICY

This document summarizes information on CalEMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov, selecting "Justice Programs", "Grant Applications & Proposals (RFAs/RFPs)," "Recipient Handbooks," under "Related Links."

1. Supplanting Prohibited (RH 1330)

Grant funds must be used to supplement existing funds for program activities and **not replace** funds appropriated for the same purpose. If selected for funding, a written certification must be provided to CalEMA indicating grant funds will not be used to supplant existing funds.

Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

2. Project Income (RH 6610)

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFP instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFP instructions.

3. Methods of Contracting and/or Procurement (RH 3400)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by CalEMA program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a statement declaring the selection of the individual organization was made competitively or a noncompetitive bid request will be required. CalEMA will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if CalEMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. Match Requirements (RH 6500)

The RFP Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses or Equipment are considered match if not in violation of the prohibition on supplanting. Match must be specified in the budget and will become part of the Grant Award Agreement. Specific instructions for calculating the match are provided below. There are examples of how to calculate the match requirement in Sections 6550-6550.2 of the *Recipient Handbook*.

a. State Funds Matching State or Federal Funds (RH 6522)

State and/or federal funds can be used to match other state and/or federal funds *only* if the following conditions have been met:

- 1) the other funding source does not prohibit this practice;
- 2) the funds are to be used for identical activities (e.g., to augment the project); and
- 3) the project has obtained prior written approval from CalEMA or the terms of the program allow this practice.

b. Type of Match

1) Cash Match (*RH* 6511)

Cash match, also known as hard match, is often derived from the local funding resources committed to a project such as county general fund revenue, United Way contributions, private donations or profits from fund-raising events. When used to augment the project, cash expenditures for items such as personnel, facilities and supplies may be considered cash match if not in violation of the prohibition on supplanting. A cash match must be specifically identified by line item as match in the budget.

2) In-Kind Match (*RH* 6512)

In-kind match, also known as soft match, refers to goods and services which are contributed to the project, have a dollar value attached to them, and are also budgeted. In-kind contributions represent the project's non-cash outlay, including the non-cash outlay contributed by other public agencies and institutions, private organizations, and individuals. Examples include the donation of goods and volunteer time. In general, the value of in-kind contributions is determined by fair market value, which must be separately identified in the budget.

5. Travel Policies (RH 2236)

The following is CalEMA's current travel policy:

a. Travel and Per Diem (RH 2236)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

1) Units of Government

Units of government may use their own written travel policy or the state policy.

2) Community-Based Organizations (CBOs)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel and Per Diem Policy (RH 2236.2)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for CalEMA approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 55 cents per mile is allowed, unless a higher rate is justified. Documentation justifying

a higher rate must be on file and available for audit, but should not be submitted with the proposal.

3) Meals and Incidentals

a) <u>Breakfast \$6.00</u>

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) <u>Lunch \$10.00</u>

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) <u>Dinner \$18.00</u>

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. Participating Staff (RH 4500)

The term "participating staff" refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

7. Consultant Services (RH 3710)

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. Rates (RH 3710.1)

The maximum rate for independent contractors is \$250 per hour (excluding travel and subsistence costs). A request for compensation for over \$250 per hour requires *prior approval* and additional justification.

1) <u>Independent Contractors Employed by State and Local Government</u>

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. Expert Witness Fees (RH 3710.2)

Projects, which routinely utilize "expert witnesses" as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for such witness fees is \$250 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project's total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;
- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current "going rate," and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds (attach the justification to CalEMA 2-106 (formerly OES A303b)).

8. Facility Rental (RH 2232)

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the proposal.

a. Rental Space for Training and Counseling Rooms (RH 2232.1)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by another source.

9. Rented or Leased Equipment (RH 2233)

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by CalEMA prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

11. Audits (RH 8150)

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

- Specifically, the allowable audit costs are as follows: if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- If the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

12. Equipment (RH 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by CalEMA is required.

b. Computers (RH 2340)

1) Community-Based Organizations (RH 2342.1)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. CalEMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by CalEMA is required.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. CalEMA will evaluate the proposed purchase on the basis of grant-related need. CalEMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

3) Computer Purchase Justification (*RH* 2341)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by CalEMA program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (RH 2240)

a. Lobbying (*RH* 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

b. Fundraising (RH 2243)

CalEMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

c. Real Property and Improvements (RH 2244)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFP instructions.

d. Interest (RH 2245)

The cost of interest payments is not an allowable expenditure unless the cost is a result of a lease/purchase agreement.

e. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

f. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

g. Membership Dues (RH 2248)

The cost of membership dues for projects involved in the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

h. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFP instructions.

i. Annual Professional Dues or Fees (RH 2248)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFP instructions.

j. Charges, Fees and Penalties (RH 2245)

Finance charges, late payment fees, penalties and returned check charges are not allowable expenditures.

k. Depreciation (RH 2249)

Equipment costs may not include additional costs calculated for depreciation.

GLOSSARY OF TERMS

TERM	DEFINITION
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet (CalEMA 2-101) who is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau). The Recipient was formerly referred to as the "Grantee".
Application	Once selected for funding, the original proposal plus any additional forms as required by CalEMA becomes the application. This application, once signed by CalEMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement (CalEMA 2-101).
CFR	Code of Federal Regulations
Community-Based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (e.g., recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity (EEO) Checklists	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist CalEMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between CalEMA and the local government agency or organization authorized to accept grant funding. (See Application.)
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (CalEMA 2-101) (formerly OES A301).

TERM	DEFINITION
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the CalEMA Local Assistance Monitoring Branch (LAMB), indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community Based Organization)	A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as having the status of a 501 (c) (3) for recipients of Faith-based Organizations. All organizations may qualify for nonprofit status using any one of the four following methods:
	(1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501 (c) (3).
	(2) A statement from a State taxing body or the State Secretary of State certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual:
	(3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or
	(4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."

TERM	DEFINITION
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles, but which serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFP and submitted to CalEMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible on the internet website at www.oes.ca.gov by selecting the "Justice Programs" tab, then selecting "Grant Applications & Proposals (RFAs/RFPs)," then looking in the "Related Links" for " <i>Recipient Handbooks</i> . The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ".
Request for Application (RFA)	The RFA is a noncompetitive process issued by CalEMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The Request for Proposal is issued by CalEMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.

TERM	DEFINITION
Supplanting	To reduce federal, state, or local funds because of the existence of CalEMA funds. Supplanting occurs when a Recipient deliberately replaces its non-CalEMA funds with CalEMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, CalEMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code

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CALIFORNIA EMERGENCY MANAGEMENT AGENCY LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

SEXUAL ASSAULT SPECIALIZED RESPONSE UNIT COMPETITIVE REQUEST FOR PROPOSAL

RATING FORM

	Control #:	
	Rater #:	
APPLICANT:		
FUNDS REQUESTED:		
PREFERENCE POINTS: Zero 2%	□ 5%	
CATEGORY	TOTAL POINT <u>POSSIBLE</u>	s
1. PROBLEM STATEMENT	84	
2. PLAN and IMPLEMENTATION	210	
3. BUDGET	64	
4. COMPREHENSIVE ASSESSMENT	40	

Each of the above categories contain questions assigned a point value. The point scale is divided into five columns labeled **I**, **II**, **III**, **IV**, **and V**. The applicant's response to each question is evaluated on the following criteria:

TOTAL

- **I. ABSENT:** The response does not address the specific question or a response was not provided.
- **II. UNSATISFACTORY:** The response does not completely address the question. Information presented does not provide a good understanding of applicant's intent, does not give detailed information requested by the RFP, or does not adequately support the proposal or the intent of the program.
- **III. SATISFACTORY:** The response addresses the question, providing a good understanding of the applicant's intent. Response adequately supports the proposal and the intent of the program.
- **IV. ABOVE AVERAGE:** The response is above average, providing a clear and detailed understanding of the applicant's intent. The response presented a persuasive argument supporting the proposal and the intent of the program.
- **V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presented a compelling argument supporting the proposal and the intent of the program.

		I	II.	Ш	IV	V
1.	PROBLEM STATEMENT (Maximum 84 points)	0	4	7	11	14
,	a. How well does the proposal describe the service area including; size, population, and social factors?					
	o. How well does the proposal describe the problem to be addressed by the project?					
	c. How well does the proposal use statistical information, describe the incidents of sexual assault in the proposed service area?					
	d. How well does the proposal describe the current efforts to investigate cases of sexual assault?					
	e. How well does the proposal describe the current efforts to provide victim support?					
	How well does the proposal describe the weaknesses of the current resources in combating the problem?					
2.	PLAN AND IMPLEMENTATION (Maximum 206 points)	0	3	7	11	15
	a. How well does the proposal describe the applicant's plan to impact the problem?					
	o. How well does the proposal describe how cases will be accepted into the unit?					
	C. How well does the proposal describe the training and qualifications of proposed staff, including the Investigator, Rape Crisis Advocate and Victim/Witness Advocate (when applicable)?					
	d. How well does the proposal describe how cases will be referred to the Rape Crisis Advocate and Victim/Witness Advocate (when applicable)?					
	e. How well does the proposal describe the applicant's plan for ongoing communication among unit staff?					
,	. How well does the proposal describe the project's plan to create or maintain jobs through this program?					
	g. How well does the proposal provide a quantitative measure for each objective?					
	n. How well does the proposal detail the activities to show how objective one will be met?					
	. How well does the proposal detail the activities to show how objective two will be met?					
	. How well does the proposal detail the activities to show how objective three, four and five will be met?					

					I		
	K.	How well does the proposal describe the applicant's ability to implement and administer the grant?					
	l.	How well does the proposal describe the relationships between law enforcement and the Rape Crisis Center(s) within the services area?					
	m.	How well does the proposal describe where the Investigator, Rape Crisis and Victim/Witness Advocate (when applicable) will have workspace?					
	n.	How well does the proposal describe the applicant's ability to report statistical information to CalEMA within five days after the conclusion of each quarter?					
3.		UDGET, including budget narrative laximum 70 points)	0	8	16	24	32
	a.	How well does the budget narrative support the proposal objectives and activities, and the intent and requirements of the program?					
	b.	How well are the funds allocated in the Budget Category Forms? How well do the line items support the proposal plan, objectives, and activities of the program?					
4.	_	OMPREHENSIVE ASSESSMENT Maximum 40 points)	0	10	20	30	40
		ow well does this proposal support the overall intent, goals, d purpose of the program?					

SUMMARY OF PAST PERFORMANCE POLICY

The following is a summary of CalEMA's Past Performance Policy. A complete copy may be obtained by sending a written, fax or email request to the attention of Grants Management:

California Emergency Management Agency Law Enforcement and Victim Services Division 3650 Schriever Avenue Mather, CA 95655

Attn: SU - Victim/Witness Section

Fax: (916) 327-5674

1. General Policy

This policy is intended to penalize existing recipients having serious performance problems and will be utilized only in connection with the RFP process on the awarding of grants for new funding cycles. It was developed in consultation with CalEMA's advisory groups.

2. Penalty Levels

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

3. Standard for Invoking this Policy

The standard for invoking either penalty is whether the applicant's compliance with grant terms and conditions falls **significantly** below average — far below the level to be expected of other recipients, and not minor incident(s) of noncompliance with CalEMA policies.

a. Serious Performance Problems Eligible For Consideration

Performance problems which would qualify under this policy include, but are not limited to:

- significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of a CalEMA policy, or Terms of the Program, but **only after** the recipient had been provided:
 - technical assistance by CalEMA, including a site visit if necessary, to remedy the violation;
 - b) at least one written notice (per violation); and
 - c) a reasonable opportunity to remedy the violation.

Written notice of serious performance problems will be provided to the recipient's executive officer. Failure to remedy the violation may negatively impact the recipient's eligibility for future funding.

It is not necessary for a criminal conviction to have occurred for CalEMA to consider actions appearing to constitute fraud, embezzlement, mishandling of funds or other types of statutory violations. CalEMA must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem;
- whether the problem identified was intentional;
- 3) whether the problem revealed dishonest behavior by the applicant;
- 4) whether the interests of the State or the public were harmed by the problem;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior:
- 6) whether the problem was documented objectively; and
- 7) whether CalEMA attempted to assist the recipient in remedying the problem.

c. Specific Examples

Performance problems should be considered on a case-by-case basis, with the totality of the circumstances to be considered. The following examples are not intended to be binding or restrictive of CalEMA's authority to determine the appropriate penalty in a particular case:

- 1) CalEMA conducts a visit of a project and makes the following findings:
 - a) the shelter failed to pay overtime on two occasions;
 - b) three timesheets did not contain a supervisor's approval; and
 - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to address the findings. Communication with the recipient four months later shows the findings have been corrected.

Penalty: None

2) An audit a year ago discovered a project employee embezzled \$300 of CalEMA funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the district attorney's office for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises to better supervise its employees. No other problems with the recipient are known.

Penalty: Level B

3) A project has agreed to provide victim advocacy services in County X. The recipient spends \$40,000 on non grant related expenses but does not provide the services. This is documented in the site visit report. The project's Progress Reports to CalEMA report the services are being provided. CalEMA refers the matter to the district attorney for prosecution, but no additional steps have yet been taken.

Penalty: Level A

4. Notification to the Applicant and Appeal of Decision

A letter will be sent by certified mail to the applicant denied funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding, pursuant to the Appeals Guidelines.